



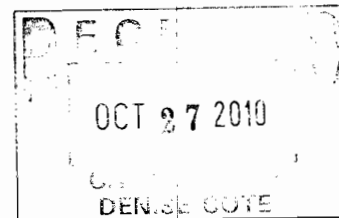
**SHEPS LAW GROUP**  
Attorneys at Law

35 Pinelawn Road • Suite 106 East • Melville, NY 11747 • Tel (631) 249-5600 • Fax (631) 249-5613

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/27/10

October 26, 2010

Hon. Denise Cote  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street  
New York, New York 10007



Re: Carter v. 36 Hudson Associates, et al. (1:09-cv-4328)  
Our File No.: 7359

**MEMO ENDORSED**

Dear Judge Cote:

As you may recall, the undersigned represents Plaintiff in the above referenced action. I am writing on behalf of all of the involved parties.

The parties are anxiously awaiting a November 3, 2010 mediation in this case. In the interim, even with the recent addition of several new parties, everyone has worked collectively to complete paper discovery.

However, if the matter can not be resolved at this November 3, 2010 date, we must go back to prepare for the respective depositions. The parties currently have until November 19, 2010 to complete factual discovery, including depositions. With the many law firms, many witnesses (including non party witnesses), it has been difficult to find dates that work despite us being in close contact with each other. All of the attorneys have very tight schedules and everyone is trying their best to find agreeable times/dates. Some depositions will proceed directly after the mediation, but we frankly do need the additional time to complete all of them.

As such, we would all respectfully request an additional thirty day extension on all discovery and scheduling dates so that we may complete discovery if indeed settlement is not possible.

We appreciate your kind consideration in this respect.

*On consent, the parties may extend fact discovery into the period for expert discovery. The Pretrial Order remains due March 4.*  
*Denise Cote*  
*Oct. 27, 2010*

Very truly yours,

SHEPS LAW GROUP, P.C.

ROBERT C. SHEPS, ESQ.

Buffalo • New York City • Newark

Cc:

Kenneth G. Roberts, Esq. *(Via Email)*  
Fran M. Jacobs, Esq. *(Via Email)*  
Thomas R. Newman, Esq. *(Via Email)*  
Steven R. Goldstein, Esq. *(Via Email)*  
*Bryan Schwartz, Esq. (via email)*